

Planning & Zoning

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**MINUTES OF THE
CUMBERLAND COUNTY PLANNING COMMISSION
Regular Monthly Meeting
Cumberland County Courthouse
Cumberland, Virginia
April 17, 2006, 7:00 P.M.**

Present: Patrick Smook, District 1
Keith Oulie, District 2
Bill Burger, Vice-Chair, District 3
David Brown, District 4
Roland Gilliam, District 5
Irene Speas, At-Large
Parker Wheeler, Chairman, At-Large
Bill Osl, Board of Supervisors Liaison

Absent: Catherine Kahl, Clerk of the Commission

Also Present: Sandra Everson-Jones, Assistant Zoning Administrator

Press: Bill Smith, Cumberland Bulletin
Jason Norton, Farmville Herald

The meeting was called to order, the roll called, and a quorum established.

The minutes of March 14 and March 20 were reviewed. A motion to accept the minutes of March 14 was made by Patrick Smook, seconded by Commissioner Gilliam and was unanimously approved. A motion to accept the minutes of March 20 with one correction was made by Commissioner Gilliam, seconded by Commissioner Brown, and unanimously approved.

The Public Comments item was opened, and there being no speakers, was closed.

Comments from the Planning Commission were encouraged and there being no comments forthcoming at that time, the next item on the agenda was addressed.

Discussion regarding the Verizon Communications Tower Conditional Use Permit (#06-3-1) presentation was opened. Aaron Hickman, Director of Information Technology for Cumberland County, was on hand to answer questions of the Commissioners. County Attorney John Rick explained that the Verizon CUP essentially met the requirements of the County Code, and was ready in its present format to send to public hearing.

Commissioner Speas stated she liked the fact that the county could use the tower for their needs. Commissioner Gilliam questioned the extent of coverage the county would receive from these towers. Mr. Osl called upon Mr. Hicks and asked how the coverage looked at the low end of the county. Mr. Hickman stated that the coverage was about 90% in the propagation study conducted. He also stated that the frequency did not reach the extreme northern end of the county, and there was a low area along the James River that will not be covered unless a tower is placed along the bluffs. However, it met the main propagation needs of Cumberland County.

Chairman Wheeler had a question regarding hanging equipment from the towers. It was determined that it would be fine as long as it does not interfere with the requirements of the rescue and fire departments. There are currently plans for the placement of three towers in the county. Mr. Osl addressed the issue of costs, and stated that there will be no charge to the county for hanging our equipment on the tower. Cumberland will be assigned 265-285 space on the tower for its own use. This will give us what we need for our emergency services.

Commissioner Brown asked about range in the Courthouse area and if there would be better reception for cell phones here. Mr. Osl stated that there is not going to be a benefit for the Courthouse area, but there would be a general overall benefit to the county for those traveling throughout the area. Cumberland is proposing to erect three towers throughout the county, with this one going into the northern portion of the county because it meets both Cumberland's and Verizon's needs. The other two (2) towers will address the issue of full or more complete propagation.

Commissioner Smook stated he would be happy to have better cell phone service but will wait to see what a public hearing will bring regarding siting of the tower in Cartersville.

There being no further comments, Commissioner Burger made a motion to send the Verizon CUP to Public Hearing, which was seconded by Commissioner Oulie. The vote was unanimous and County Attorney Rick is charged with drafting language and placing the ads for a May 15, 2006 public hearing.

Under Old Business, the Plank Road Development (CUP #06-02-1) was addressed. Shannon Rodgers was asked to present changes since the last meeting to the Commission. Mr. Rodgers stated the submitted materials contained a typo in acreage. He also referred to a paid area study regarding an equestrian center, done a few years ago, reporting results of a high likelihood of success. He also stated that the groupings of the 4-8 unit attached dwellings would have new units built as completed ones are sold.

Mr. Rodgers also emphasized the use of sidewalks to connect the various assisted living housing options and retail shops areas together, and the use of hiking, biking and walking trails, and disc golf (which he explained as a growing national phenomenon) in the flood zone areas. He stated that the YMCA center is not finalized, as they have received offers of free land to build their complex at two (2) other sites, and have not yet made a final decision. Commissioner Gilliam asked what would happen to this area of the plan if the YMCA did not accept the offer. Mr. Rodgers stated that a possibility is the building of a swimming pool, which could also be used for physical therapy for the extended care facilities.

Mr. Rodgers also addressed the large number of stables for boarding horses, and the use of the arena for horse shows, etc.

Commissioner Burger suggested working with the County Attorney to support submitted concepts with specifics as part of the proffer. Mr. Rick stated that he would be happy to work with the Planner, Catherine Kahl, and Mr. Rodgers, as the project continued to develop, or as needed. He also suggested that this go to advertisement for Public Hearing and action by the Commission at the May 15, 2006 meeting. He then gave an explanation regarding the time limits on what is before the Commission (the PC must take action 100 days from when they first review it, or it is automatically considered as accepted and passed on to the BOS for their review).

Mr. Osl stated that he saw this as an exciting opportunity and was very happy with how the project was taking shape. Commissioner Speas agreed with Mr. Osl, and asked what disc golf involved. Mr. Rodgers gave a brief explanation of the dynamics of the game, stating that it is growing in popularity throughout the United States, and now includes a National Women's Disc Golf Association.

Supervisor Cliff White was not on the agenda, but asked to be allowed to provide the Commission with an update on the Flippen's Store renovations. He stated that he was a contractor by trade and was providing oversight of the building process for the BOS. He will not be a part of the renovation project as a contractor, but will work with other board members to keep costs under control. Renovations include bulletproof windows, basement holding cells, a 20'x40' much-needed conference room, kitchen and additional bathrooms, and three extra offices. He stated that floor plans will be forthcoming very soon from Joe Hale at HDH. Many local prime contractors will be encouraged to submit bids, with the requests going out as early as May. A dome roof over the current storage unit is also being added and the contractor who is remodeling the Old Clerks' Office is also submitting a bid for this. It will house highly visible Emergency Services. The magistrates will have offices upstairs with a video hookup of the holding cells in the basement. Supervisor White will be keeping the Commission informed as work progresses.

Commissioner Comments:

Mr. Osl: Excited about how the Plank Road project is shaping up, and look forward to seeing it continue to develop.

Commissioner Speas: I agree with Mr. Osl. This project is looking good. And we really made good use of the basement in the Flippen's Store renovations.

Commissioner Smook: Regarding Municipal Code, when do we get new code updates: How often does this happen? (Answer: every three months, after we send them changes from the BOS, which are emailed to Municode.com. Info is then updated on the web, unless we pay extra for web updates as the code is passed.)

Commissioner Oulie: Do we need to specify that we expect to have negotiations with the developers on the Plank Road subdivision? How do we get to the point of proffers?

Commissioner Brown: I was very happy with the changes to the Plank Road Development and the use of businesses. I was not pleased with the earlier versions of the plans, and the retirement and assisted living portions of the plan will serve the public very well.

Commissioner Burger: I like the proposed development on Plank Road and would like to thank everyone who worked on the changes. I look forward to seeing the new plans.

I also ask that the BOS consider using staggered terms instead of all being elected at the same time. There is a possibility of losing the history of the county in turning over board membership. This has happened at least twice, and since it takes 6-8 months to have everyone come up to speed (a learning curve), we are effectively without informed leadership. Should the School Board completely turn over, the county is left adrift for a number of months while everyone struggles to rebuild relationships. If there is a whole new BOS and a new School Board, it could be a disaster for the county.

Mr. Osl: Regarding the status of the new District 5 Board member, we have advertised with specific information and put together a questionnaire for the County Administrator to use whenever there is interest in the position. She will also give us her perspective on the applicant. We want to know more about what the applicant thinks about the various projects now in progress in the county.

In response to the question of staggering terms of BOS elections, a lot of business gets done by establishing relationships in the community. This is a big part of the smoothly functioning board. Whenever the whole board is renewed, it takes a long time to rebuild these relationships. There is also the fact that starting with all new people could be of benefit to the county in the opportunities this brings. There is no old baggage to bring along. There are mixed opinions on all of this, and we can begin the dialogue that will establish guidelines.

County Attorney Rick stated he needed to make the members aware there are legal protocols that must be followed in establishing new election and term of office procedures.

The closed session item of the agenda dealing with Allied began with the following motion by Chairman Wheeler, seconded by Commissioner Speas:

I move that the Commission go into closed session for a discussion of the terms and scope of the Allied contract. This session is authorized by Section 2.2-3711 (A-30) of the Code of Virginia.

The vote was unanimous to go to closed session.

At the end of the closed session, the following motion to reconvene was made by Commissioner Burger, and seconded by Commissioner Speas:

I certify that to the best of every members' knowledge, only those matters identified in the motion convening the closed session were discussed in that meeting, and those matters are lawfully exempted from open meeting requirements.

A roll call vote was taken with each member voting as follows:

Commissioner Brown:	aye	Commissioner Smook:	aye
Commissioner Burger:	aye	Commissioner Speas:	aye
Commissioner Gilliam:	aye	Chairman Wheeler:	aye
Commissioner Oulie:	aye		

A discussion ensued regarding the public meeting being held by Allied on Monday, April 24, 2006, when the Planning Commission was scheduled to hold a Workshop meeting. Commissioner Speas asked if PC members needed to attend the Allied meeting. It was determined by all that this would be helpful in understanding the questions of the public regarding the landfill issue. The workshop was rescheduled to Tuesday, April 25 at 7:00 pm so that members could attend the Monday, April 24 Allied meeting.

Commissioner Oulie made a motion to adjourn to a Workshop scheduled for Tuesday, April 25, 2006, which was seconded by Commissioner Burger, and unanimously approved.

Attested:

Parker Wheeler, Planning Commission Chair

Date

Sandra Everson-Jones, Assistant Zoning Administrator

Date

Catherine Kahl , Planner & Clerk of the Court -- absent from meeting